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Date of Deposit: March 23, 2004  
Docket No. M0765.70035US00

DOCKET NO.: M0765.70035US00

1646

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Waeber et al.  
Serial No: 09/804,987  
Confirmation. No.: 9309  
Filed: March 13, 2001  
For: METHODS AND COMPOSITIONS FOR THE REGULATION  
OF VASOCONSTRICTION  
Examiner: Li, Ruixiang  
Art Unit: 1646

Commissioner For Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

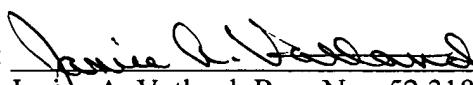
Transmitted herewith are the following documents:

- Information Disclosure Statement
- PTO Form 1449 with cited references
- Return Receipt Postcard

If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at (617) 646-8000, Boston, Massachusetts.

A check is not enclosed. If a fee is required, the Commissioner is hereby authorized to charge Deposit Account No. 23/2825. A duplicate of this sheet is enclosed.

Respectfully submitted,  
*Waeber et al.*, Applicant

By:   
Janice A. Vatland, Reg. No.: 52,318  
Wolf, Greenfield & Sacks, P.C.  
600 Atlantic Avenue  
Boston, Massachusetts 02210-2211  
Telephone: (617) 646-8000

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STATEMENT FILED PURSUANT TO THE DUTY OF  
DISCLOSURE UNDER 37 CFR §§1.56, 1.97 AND 1.98

Sir:

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, the Applicant requests consideration of this Information Disclosure Statement.

PART I: Compliance with 37 C.F.R. §1.97

This Information Disclosure Statement has been filed before the mailing of a first Office Action after the filing of a request for continued examination under 37 C.F.R. §1.114.

No fee or certification is required.

PART II: Information Cited

The Applicant hereby makes of record in the above-identified application the information listed on the attached form PTO-1449 (modified). The order of presentation of the references should not be construed as an indication of the importance of the references.

The Applicant hereby makes the following additional information of record in the above-identified application.

The Applicant would like to bring to the Examiner's attention the following information:

**Editors' comments from the European Journal of Pharmacology regarding submitted manuscript entitled "SIP<sub>3</sub> receptors mediate the potent constriction of cerebral arteries by sphingosine-1-phosphate" by Salomone et al.**

PART III: Remarks

Documents cited anywhere in the Information Disclosure Statement are enclosed unless otherwise indicated. It is respectfully requested that:

1. The Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims;
2. The enclosed form PTO-1449 be signed by the Examiner to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application;
3. The citations for the information be printed on any patent which issues from this application.

By submitting this Information Disclosure Statement, the Applicant makes no representation that a search has been performed, of the extent of any search performed, or that more relevant information does not exist.

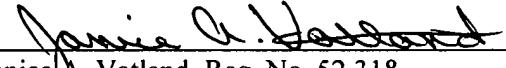
By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

Notwithstanding any statements by the Applicant, the Examiner is urged to form his own conclusion regarding the relevance of the cited information.

An early and favorable action is hereby requested.

Respectfully submitted,  
Waeber et al., *Applicant*

By:   
Janice A. Vatland, Reg. No. 52,318  
Wolf, Greenfield & Sacks, P.C.  
600 Atlantic Avenue  
Boston, Massachusetts 02210-2211  
Telephone: (617) 646-8000

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FORM PTO-1449/A and B (modified)			APPLICATION NO.: 09/804,987	ATTY. DOCKET NO.: M0765.70035US00
INFORMATION DISCLOSURE STATEMENT BY APPLICANT			FILING DATE: March 13, 2001	CONFIRMATION NO.: 9309
			APPLICANT: Waeber et al.	
Sheet	1	of	2	GROUP ART UNIT: 1646 EXAMINER: Li, Ruixiang

#### U.S. PATENT DOCUMENTS

Examiner's Initials	Cite No.	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication or of issue of Cited Document MM-DD-YYYY
		Number	Kind Code		

#### FOREIGN PATENT DOCUMENTS

Examiner's Initials	Cite No.	Foreign Patent Document			Name of Patentee or Applicant of Cited Document (not necessary)	Date of Publication of Cited Document MM-DD-YYYY	Translation (Y/N)
		Office/ Country	Number	Kind Code			

#### OTHER ART — NON PATENT LITERATURE DOCUMENTS

Examiner's Initials	Cite No	Include name of the author (in CAPITAL LETTERS) title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, relevant page(s), volume-issue number(s), publisher, city and/or country where published.	Translation (Y/N)
	C25	ALTMANN et al., "Comparison of Signalling Mechanisms Involved in Rat Mesenteric Microvessel Contraction by Noradrenaline and Sphingosylphosphorylcholine", <i>British Journal of Pharmacology</i> , 138:261-271, 2003.	
	C26	ANCELLIN et al., "Differential Pharmacological Properties and Signal Transduction of the Sphingosine 1-Phosphate Receptors EDG-1, EDG-3, and EDG-5", <i>The Journal of Biological Chemistry</i> , 274(27): 18997-19002, 1999.	
	C27	BISCHOFF et al., "Nifedipine Inhibits Sphingosine-1-phosphate-induced Renovascular Contraction <i>In Vitro</i> and <i>In Vivo</i> ", <i>Naunyn-Schmiedeberg's Arch. Pharmacol.</i> , 364: 179-182, 2001.	
	C28	BOLZ et al., "Sphingosine Kinase Modulates Microvascular Tone and Myogenic Responses Through Activation of RhoA/Rho Kinase", <i>Circulation</i> , 108: 342-347, 2003.	
	C29	BOLZ et al., "Highly Effective Non-viral Gene Transfer into Vascular Smooth Muscle Cells of Cultured Resistance Arteries Demonstrated by Genetic Inhibition of Sphingosine-1-phosphate-induced Vasoconstriction", <i>Journal of Vascular Research</i> , 40: 399-405, 2003.	
	C30	BOLZ et al., "Nitric Oxide-induced Decrease in Calcium Sensitivity of Resistance Arteries is Attributable to Activation of the Myosin Light Chain Phosphatase and Antagonized by the RhoA/Rho Kinase Pathway", <i>Circulation</i> , 107: 3081-3087, 2003.	
	C31	FRIELINGSDORF et al., "Abnormal Coronary Vasomotion in Hypertension: Role of Coronary Artery Disease", <i>J. Am. Coll. Cardiol.</i> , 28(4): 935-941, 1996.	
	C32	HSU et al., "Vascular Contractile Properties in Hypertension. I. A Study of Testing Methods", <i>Chin. J. Physiol.</i> , 36(2): 95-99, 1993.	
	C33	SUGIYAMA et al., "Sphingosine 1-Phosphate Induces Sinus Tachycardia and Coronary Vasoconstriction in the Canine Heart", <i>Cardiovascular Research</i> , 46: 119-125, 2000.	
	C34	TOSAKA et al., "Sphingosine 1-Phosphate Contracts Canine Basilar Arteries <i>In Vitro</i> and <i>In Vivo</i> : Possible Role in Pathogenesis of Cerebral Vasospasm", <i>Stroke</i> , 32: 2913-2919, 2001.	
	C35	TRAUPE et al., "Obesity Increases Prostanoid-mediated Vasoconstriction and Vascular Thromboxane Receptor Gene Expression", <i>Journal of Hypertension</i> , 20(11): 2239-2245, 2002.	



FORM PTO-1449X and B (Modified)

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

Sheet 2 of 2

APPLICATION NO.:	09/804,987	ATTY. DOCKET NO.:	M0765.70035US00
FILING DATE:	March 13, 2001	CONFIRMATION NO.:	9309
APPLICANT:	Waeber et al.		
GROUP ART UNIT:	1646	EXAMINER:	Li, Ruixiang

	C36	WALKER et al., "Increased Vasoconstrictor Sensitivity to Glucocorticoids in Essential Hypertension", <i>Hypertension</i> , 27: 190-196, 1996.		
	C37	WINDH et al., "Differential Coupling of the Sphingosine 1-Phosphate Receptors Edg-1, Edg-3, and H218/Edg-5 to the G <sub>i</sub> , G <sub>q</sub> , and G <sub>12</sub> Families of Heterotrimeric G Proteins", <i>The Journal of Biological Chemistry</i> , 274(39): 27351-27358, 1999.		

EXAMINER	DATE CONSIDERED
.	

#EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

\*a copy of this reference is not provided as it was previously cited by or submitted to the office in a prior application, Serial No. \_\_\_, filed \_\_\_, and relied upon for an earlier filing date under 35 U.S.C. 120 (continuation, continuation-in-part, and divisional applications).

[NOTE - Must provide a copy of any patent, publication, other information listed, even if it was previously submitted to, or cited by, the U.S. Patent Office in an earlier application, unless the earlier application is identified by the IDS and is relied upon for an earlier filing date under 35 U.S.C. §120, and the copy was provided in the earlier application.]